

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JAMES C. ZOCCOLI,

Plaintiff,

-against-

PROGRESSIVE INS. GARDEN STATE
UNDERWRITERS,

Defendant.

1:24-CV-4646 (LTS)

ORDER

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated October 21, 2024, the Court dismissed this *pro se* action for lack of subject matter jurisdiction. (ECF 5.) The Court, however, granted Plaintiff 30 days' leave to replead his claims in an amended complaint, as specified in that order. (*Id.*) On November 15, 2024, Plaintiff filed a letter requesting a 30-day extension of time to comply with the Court's October 21, 2024 order. (ECF 6.) By order November 18, 2024, the Court granted that request; the Court granted Plaintiff an additional 30 days from the date of that order to comply with the Court's October 21, 2024 order. (ECF 7.) On December 17, 2024, Plaintiff filed another letter requesting another extension of time to comply with the Court's October 21, 2024 order. (ECF 8.) The Court grants Plaintiff's second request for an extension of time. The Court grants Plaintiff an additional 30 days from the date of this order to comply with the Court's October 21, 2024 order. **No further extensions of time will be granted.**

If Plaintiff fails to comply with the Court's October 21, 2024 order within the additional time granted, the Court will direct the Clerk of Court to enter a judgment dismissing this action for lack of subject matter jurisdiction. *See* Fed. R. Civ. P. 12(h)(3).

The Court certifies, under 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith and, therefore, *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

Dated: December 19, 2024
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge